

FILED

MAJORITY SWEENEY
JUDICIAL DISTRICT COURT

IN THE FIRST JUDICIAL DISTRICT COURT FOR THE STATE OF MONTANA
LEWIS AND CLARK COUNTY 2009 JUL 20 10 4 34

STATE AUDITOR, EX OFFICIO SECURITIES)
COMMISSIONER FOR THE STATE OF)
MONTANA,)

Petitioner,)

vs.)

Cause No. CDV-2009-157

ORDER

KEITH KOVICK, individually and in his capacity)
as agent for the named respondent companies;)
ROBERT CONGDON, individually and in his)
capacity as agent for the named respondent)
companies; DAN WOLSKY, individually and in)
his capacity as agent for the named respondent)
companies; DAN KLEMMANN, individually and in)
his capacity as agent for the named respondent)
companies;)

CORNERSTONE FINANCIAL CORPORATION)
13 2nd Ave, Polson, MT, 59860;)

D & D MANAGEMENT and PROPERTY)
DEVELOPMENT, INC.)
466 Misty Vale Lane, Corvallis, MT 59828,)

Respondents.)

Pursuant to the Commissioner's Unopposed Motion to Vacate hearing filed on July 20,
2009, and good cause appearing therefrom,

IT IS HEREBY ORDERED as follows:

(1) the show cause hearing on the Securities Commissioner's Petition for Injunction
against Respondents Robert Congdon ("Congdon"); Keith Kovick ("Kovick") and Cornerstone
Financial Corporation ("Cornerstone") is hereby VACATED. The Commissioner, Congdon,
Kovick and Cornerstone shall jointly file proposed language for a Stipulated Preliminary

Injunction within 10 days of the date of this Order. In the interim, the provisions of the existing stipulated temporary restraining order dated March 24, 2009, shall remain in effect;

(2) the hearing on the Commissioner's Motion to Appoint Receiver is hereby VACATED. The parties shall jointly file proposed language for an order appointing a receiver, including the identity of the receiver, the scope of the proposed work and any timelines within 10 days of the date of this Order;

(3) based upon the representations of the Commissioner in the Unopposed Motion to Vacate, the hearing on proposed intervenor Peter Stone's Motion to Intervene is hereby VACATED. Counsel for Mr. Stone is directed to file a pleading with the Court within 10 days of the date of this Order advising whether his client requests that motion be held in abeyance indefinitely;

(3) the show cause hearing on the Securities Commissioner's Petition for Injunction against Respondents Dan Wolsky ("Wolsky"), Dan Klemann ("Klemann") and D&D Management and Property Development, Inc. ("D&D") is hereby VACATED. The provisions of the existing stipulated temporary restraining order against Wolsky, Klemann, and D & D Management dated March 24, 2009 shall remain in effect until a show cause hearing on the

22 day of Sept, 2009, at 11:30 p.m.

SO ORDERED this 21st day of July, 2009.


DISTRICT COURT JUDGE

cc. Roberta Cross Guns
John Mudd
Robert Congdon
Cornerstone Financial Corporation
Michelle Sievers
Keith Kovick